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DIGEST OF OTHER RECENT VIRGINIA DECISIONS.**Supreme Court of Appeals.**

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

GLASS *v.* COLUMBIAN PAPER CO. et al.

Nov. 17, 1910.

[69 S. E. 354.]

1. Evidence (§ 29*)—Judicial Notice—Statute Laws.—The Supreme Court of Appeals will take judicial notice of the statute laws of the state.

[Ed. Note.—For other cases, see Evidence, Cent. Dig. §§ 36-48; Dec. Dig. § 29.* 8 Va.-W. Va. Enc. Dig. 640.]

2. Eminent Domain (§§ 317, 323*)—Rights Acquired—Abandonment—Riparian Rights.—Acts 1840-41, c. 91, chartered the North River Navigation Company, to render navigable the waters of North river by a system of dams, locks, and canals. For many years the river was successfully navigated. Complainant in 1906 acquired the land on the west bank of the river opposite dam No. 6, and disputed the title of the navigation company and its successors to the exclusive use of the water at that dam, alleging that any right originally acquired had been abandoned. The bill, however, attached an advertisement of the sale of the land subsequently acquired by complainant, which showed that the water rights had been condemned by the navigation company. Held, that the condemnation of such water rights vested the fee-simple title thereto in the navigation company as against the riparian owners, which rights were not lost by the abandonment of navigation, and hence plaintiff was not entitled thereto as against the company's grantees.

[Ed. Note.—For other cases, see Eminent Domain, Cent. Dig. §§ 836, 860; Dec. Dig. §§ 317, 323.* 5 Va.-W. Va. Enc. Dig. 114.]

Appeal from Circuit Court, Rockbridge County.

Bill by T. H. Glass against the Columbian Paper Company and others. From a decree sustaining a demurrer to the bill, plaintiff appeals. Affirmed.

ASHWORTH et al. *v.* BROWN et al.

Nov. 17, 1910.

[69 S. E. 362.]

Fraudulent Conveyances (§ 95*)—Consideration.—Where one had a lot conveyed to his wife, and thereon built a house, and she after-

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r indexes.